

-----Original Message-----

From: George, Robert W. [mailto:Robert.George@KutakRock.com]  
Sent: Tuesday, July 03, 2007 1:35 PM  
To: Louis Bullock  
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Subject: Oklahoma v. Tyson - July 2nd Letter

Louis,

I received today your letter dated July 2nd supplementing the State's "court-ordered scientific production." I have reviewed the enclosed CD which contained revised SOPs for Benthic and Sediment sampling, laboratory reports for among other things estradiol and witness statements taken by the State as part of its "investigation of the defendants' waste disposal practices."

At the June 28 hearing, I asked about the status of the State's promised production of data and lab reports pertaining to its microbial source tracking / DNA work in the watershed. You had previously indicated that this work would be completed "by summer" and that the State would produce that data once it had undergone the QA/QC process. In our conversation on June 28, you indicated that I would soon receive the State's revised SOP relative to the microbial source tracking / DNA work. I did not see this particular revised SOP in the materials included with your July 2nd letter. If you sent it and I overlooked it, please let me know. Otherwise, please advise as to when I will receive the revised SOP for the State's microbial source tracking / DNA work.

Finally, please confirm in writing my understanding that the State collected and analyzed samples under a prior SOP for the purpose of testing the microbial source / DNA methods to confirm whether those methods will permit the State to determine the source of the substances found in various samples. If I am correct and this sort of sampling/testing has occurred, I want reiterate my request for the immediate production of the field collection, chain of custody and laboratory analysis documents related to this prior work. Of course, as the State goes forward in collecting and analyzing additional samples pursuant to its revised microbial source / DNA SOP, the State is obligated to produce the documents related to this work as they are generated. If I have a misunderstanding about what has occurred to date, if the State does not intend to promptly produce the results of its prior microbial source tracking / DNA sampling or if you are not agreeable to producing documents related to ongoing or future microbial source tracking work, then please let me know immediately. Thanks.

Robert W. George  
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